

REMARKS

In the Decision, the Board reversed the rejection of Claims 1, 3, 4, 6-11, 13, 14, 16-31 and 33-38 under 35 U.S.C. § 103, but upheld the rejection of these claims under the judicially created doctrine of obviousness-type double patenting over claims 1-32 of U.S. Patent No. 6,847,935 issued to Solomon et al. ("*Solomon*") Applicants respectfully submit a Terminal Disclaimer to overcome the obviousness-type double patenting rejection. All pending claims are now in condition for allowance, and Applicants thus respectfully request the Examiner to issue a Notice of Allowance for Claims 1, 3, 4, 6-11, 13, 14, 16-31 and 33-38.

CONCLUSION

Applicants have made an earnest attempt to place the Application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of the Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

The \$130.00 fee required by 37 C.F.R. 1.20(d) to file a Terminal Disclaimer is submitted herewith. Although no additional fees are believed to be required by this request, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants

A handwritten signature in black ink, appearing to read 'Kurt M. Pankratz', with a long horizontal flourish extending to the right.

Kurt M. Pankratz
Reg. No. 46,977

Date: March 24, 2006

Customer No. **05073**